IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

WEDNESDAY, THE 20TH DECEMBER 2006 / 29TH AGRAHAYANA 1928

WP(C).No. 33847 of 2006(D)

PETITIONER:

JAMES KUTTY,
UPPER DIVISION CLERK (UNDER SUSPENSION)
PATHANAPURAM, KOLLAM DISTRICT
RESIDING AT -
KAITHAKKUNNATHU VEEDU,
ERATHU VADAKKUMURI,
PATTAZHI VILLAGE,
PATHANAPURAM TALUK,
KOLLAM DISTRICT.

BY ADV. SRI.M.V.THAMBAN
SRI.K.SURESH BABU (PUNALUR)
SRI.V.K.SATHYANATHAN

RESPONDENTS:

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1. STATE OF KERALA REPRESENTED BY
THE SECRETARY TO THE GOVERNMENT
DEPARTMENT OF HEALTH,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE DISTRICT MEDICAL OFFICER,
DEPARTMENT OF HEALTH,
KOLLAM.

3. THE MEDICAL OFFICER,
COMMUNITY HEALTH CENTRE,
PATHANAPURAM,
KOLLAM.

4. SMT. S. SHANA,
JUNIOR HEALTH INSPECTOR,
P.H.C. PIRAVANNOOR,
KOLLAM.

5. DR. MINI. S. NAIR,
ASST. SURGEON,
REG. NO. 17746,
GOVT. HOSPITAL,
KOTTARAKKARA.

6. THE DIRECTOR,
DIRECTORATE OF HEALTH SERVICES,
THIRUVANANTHAPRAM.

BY ADV. SRI. BIJOY CHANDRAN for R1 to R3

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 20/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K.DENESAN, J

W.P.(C)NO. 33847 of 2006

Dated this the 20th day of December, 2006

JUDGMENT

While working as Upper Division Clerk in the Pathanapuram Community Health Centre, the petitioner was placed under suspension as per Ext.P1 order dated 4.10.2005 passed by the third respondent. Ext.P8 appeal has been preferred by the petitioner under Rule 22 of the Kerala Civil Services (Classification, Control and Appeal) Rules 1960 before the 6th respondent.

2. The 6th respondent has got a statutory duty to consider Ext.P8 on merits and take decision in accordance with law.

3. I have heard the learned counsel for the petitioner and the learned Government Pleader for the respondents.

4. In the nature of the order I propose to pass, notice need not be issued to respondents 4 and 5.

5. There shall be an order directing the 6th respondent to pass orders, in accordance with law, within one month on the petitioner producing a copy of the judgment along with a copy of the writ petition.

K.K.DENESAN, JUDGE

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